

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION

CARLOS JAILE,	\$	
	\$	
Plaintiff,	\$	
	\$	
v.	\$	CAUSE No. 3:24-CV-00221-DB
	\$	
CITY OF EL PASO, LILIA BEARD,	\$	
PAUL BLOTT, BENITO PEREZ,	\$	
AND ED URIBE,	\$	
	\$	
Defendants.	\$	

JOINT MOTION FOR LEAVE TO FILE  
PROPOSED SCHEDULING ORDER OUTSIDE THE COURT'S PREFERRED TIMELINE

TO THE HONORABLE JUDGE OF SAID COURT:

Comes now Jeep Darnell, on behalf of Lilia Beard, joined by counsel for the Plaintiff and counsel for the other Defendants, and files this, a Joint Motion for Leave to File Proposed Scheduling Order Outside the Court's Preferred Timeline, and in support thereof would show the Honorable Court as follows:

**I. BACKGROUND**

1. On July 15, 2024, the Court entered its "Order to Comply With Federal Rule of Civil Procedure 26 and Local Court Rule CV-16." (Doc. # 26). In that Order, the Court indicated that the proposed scheduling order that the parties are to submit within "sixty days after a defendant first appears," (Doc. # 26 p. 2), in accordance with Local Rule CV-16, should adhere to certain guidelines among which is the directive that, ". . . the Parties should choose a trial date approximately nine months from the

date the case was filed in federal court.” (Doc. # 26, p. 2, n. 3).

2. This civil rights matter was filed in the Northern District of Illinois on March 21, 2024, (see Doc. # 1, Cause No. 1:24-cv-02339), regarding allegations from 1987-1990. The Defendants all first appeared in this matter in the Northern District of Illinois on May 3, 2024, upon the filing of their Motion to Dismiss or Transfer. (Doc. # 16, Cause No. 1:24-cv-02339). That Motion was granted (Doc. # 23, Cause No. 1:24-cv-02339), and the matter was transferred to the Western District of Texas on or about June 26, 2024, which presumably would require the proposed scheduling order to be filed by August 25, 2024, with a proposed trial date in December, 2024. The parties have attached their proposed scheduling order hereto as Exhibit A.

## **II. ARGUMENT**

3. The parties’ proposed scheduling order has attempted to comply with the Court’s specifications, except for the timing for trial. In order to properly investigate the very old allegations involved in this case, find necessary witnesses, obtain records from the 34<sup>th</sup> Judicial District Attorney’s Office, and conduct the necessary discovery, the parties will need more time than December of this year. The parties have attempted to be as aggressive as possible in setting the proposed deadlines, however, even with that in mind, the parties do not believe a trial date prior to November 17, 2025, is plausible.

**III. PRAYER FOR RELIEF**

4. Wherefore, premises considered, the parties pray the Court grant this Motion for Leave and accept the proposed scheduling order attached hereto.

Respectfully submitted,

**JIM DARNELL, P.C.**

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By: /s/ Jeep Darnell

**Jeep Darnell**

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**Co-Counsel for  
Officer Lilia Beard**

**CERTIFICATE OF SERVICE**

I hereby certify that on this 5<sup>th</sup> day of August, 2024, a true and correct copy of the foregoing document has been electronically served via the CM/ECF system.

/s/ Jeep Darnell  
Jeep Darnell